

Maxim H. Waldbaum, *admitted pro hac vice*
Brian Neff, *admitted pro hac vice*
Henry Mann, *admitted pro hac vice*
SCHIFF HARDIN LLP
666 Fifth Avenue, 17th Floor
New York, NY 10103
Tel.: (212) 753-5000
Fax: (212) 753-5044
mwaldbaum@schiffhardin.com
bneff@schiffhardin.com
hmann@schiffhardin.com

John S. Worden, Nevada Bar # 7563
SCHIFF HARDIN LLP
One Market, Spear Street Tower
Thirty-Second Floor
San Francisco, CA 94105
Tel.: (415) 901-8700
Fax: (415) 901-8701
jworden@schiffhardin.com

Carlos Blumberg, Nevada Bar #7607
BLUMBERG LAW FIRM
10161 Park Run Drive, Suite #150
Las Vegas, Nevada, 89144
Tel.: (702) 388-0005
Fax: (702) 258-0002
BlumbergLaw@aol.com

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

NEWSTAR CHEMICALS (M) SDN
BHD., a Malaysian private limited
company, NEWSTAR HOLDINGS PTE
LTD., a Singaporean private limited
company, and RANDALL HART,

Plaintiffs,

v.

MEGOLA, INC., a Nevada Corporation,
and DOES 1 through 500,

Defendants.

Case No. 2:11-CV-926-GMN-(RJJ)

**DECLARATION OF MAXIM H.
WALDBAUM IN SUPPORT OF
MOTION TO WITHDRAW**

I, Maxim H. Waldbaum, Esq., make the following Declaration, pursuant to 28 U.S.C. § 1746:

1. I am an attorney-at-law of the State of New York, and a member of Schiff Hardin, LLP, counsel for Plaintiffs in the above-captioned matter. As such, I am fully familiar with the facts set forth below.

2. On August 26, 2011, I received from Randall Hart an email terminating this firm's services. Mr. Hart is a principal of the two Newstar entities that are Plaintiffs in this action, and is himself a Plaintiff. Mr. Hart's email indicated that it pertained to all services on behalf of Plaintiffs, "including, without limitation, the litigation case in Nevada pertaining to Megola." The email stated that "[a]ll such terms, arrangements, and need for such services are hereby stopped and terminated" Mr. Hart's termination notice went on to indicate that Schiff Hardin "may be contacted by new lawyers on behalf of the Company."

3. In the period since receiving the August 26 termination notice, we have emailed Mr. Hart on a number of occasions, asking that he advise us of the status of any retention of new counsel and that he address our outstanding invoice. On September 6, 2011, we advised Mr. Hart that if we did not receive a response from Plaintiffs we would be compelled to file a motion to withdraw.

4. We have not received any communications from Mr. Hart, or anyone else affiliated with or claiming to represent Plaintiffs since the August 26 termination notice.

5. At this point, Plaintiffs are past due in their payment of substantial costs and fees owed to Schiff Hardin. My repeated requests that Plaintiffs address this issue have been ignored.

6. In light of Plaintiffs' termination notice, and given Plaintiffs' failure to communicate with us or to make payment of the substantial amounts owed to this firm, we respectfully request that Schiff Hardin be permitted to withdraw as counsel for Plaintiffs in this action.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 8th day of September 2011.

New York, New York



Maxim H. Waldbaum

NYV51050221.1